

132199

City Clerk
City of Riverside
3900 Main Street
Riverside, Ca. 92522

RECEIVED FOR RECORD
Min. Past 5 o'clock PM

JUN 18 1985

Recorded in Official Records
of Riverside County, California

William E. Stoney
RECORDER
Fees \$ 4

R-60-789

COVENANT AND AGREEMENT AND RELEASE
ARLINGTON AVENUE FUTURE MEDIAN

This Covenant and Agreement and Release is made and entered into this 17th. day of June, 1985, by ROBERT J. NORTON, the owner of record of the following described real property located in the City of Riverside, County of Riverside, State of California, hereinafter referred to as "the property".

The West 72.5 feet of the following described property; That portion of Lots 3 and 4 in Block 6 of the Lands of the Riverside Land and Irrigating Company, as shown by Map on file in Book 1, page 70 of Maps, San Bernardino County Records, described as follows:

Commencing at the Northeasterly corner of that certain parcel conveyed to J.W. Bailey by deed recorded April 9, 1913 in Book 373, page 334 of Deeds, Riverside County Records; thence Southerly 13 feet to the present Southerly line of Arlington Avenue for THE POINT OF BEGINNING; thence continuing Southerly along the Easterly line of the above mentioned parcel, 253.38 feet to the Southerly line of Lot 3 in Block 6 above described; thence Westerly along the Southerly line of said Lot 3, 158.58 feet to the Southwesterly corner thereof; thence continuing Westerly 15.78 feet to a point on the Southerly line of Lot 4 in said Block 6; thence Northerly and parallel to the Easterly line of the herein

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described parcel to the Southerly line of Arlington Avenue; thence Easterly along the Southerly line of Arlington Avenue, 145 feet to THE POINT OF BEGINNING. Said property is also shown on Record of Survey on file in Book 13, page 3 of Records of Survey, Riverside County Records.

WHEREAS, the property herein above described abuts the south side of Arlington Avenue, a public street within the City of Riverside; and

WHEREAS, the City of Riverside plans to install a raised median within the center of said Arlington Avenue; and

WHEREAS, the construction of said raised median will eliminate access to said property from the west bound lanes of Arlington Avenue;

NOW, THEREFORE, in consideration of the approval by the City of Riverside, of zoning case R-60-789, the undersigned acknowledges and covenants and agrees for himself, his successors and assigns that the property will not be served by an opening in the raised median and thereby release the City of Riverside, its officers, and employees from any and all claims, demands, suits, or actions that the undersigned, his successors or assigns may have now or in the future, arising out of the construction of the median or the loss of access from the west bound lanes of Arlington Avenue.

It is further covenanted and agreed that in the event the median is not constructed in Arlington Avenue adjacent to the property at such time as the property is leased, sold, transferred, or conveyed to another, the undersigned shall give prior written notice to said party that the property will not be served by an opening in the median to be constructed in Arlington Avenue.

The terms of said Covenant and Agreement and Release may be enforced by the City of Riverside, its successors and assigns. Should the City bring an action to enforce any of the terms of this Covenant and Agreement and Release, the prevailing party shall be entitled to reasonable attorneys' and expert witness' fees and other reasonable costs of suit.

This Covenant and Agreement and Release shall run with the land and each and all of its terms shall be binding upon the undersigned, himself, his successors and assigns, and shall continue in effect until such time as released by the City Council of the City of Riverside, California.

IN WITNESS WHEREOF, the undersigned have caused this Covenant and Agreement and Release to be executed the day and year first above written.

Robert J. Norton
Robert J. Norton

APPROVED AS TO FORM
[Signature]
ASST. CITY ATTORNEY

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DESCRIPTION APPROVAL: 6/18/85
George P. Hutchinson
CITY OF RIVERSIDE

GENERAL ACKNOWLEDGMENT

NO. 201

State of California }
County of Riverside } ss.

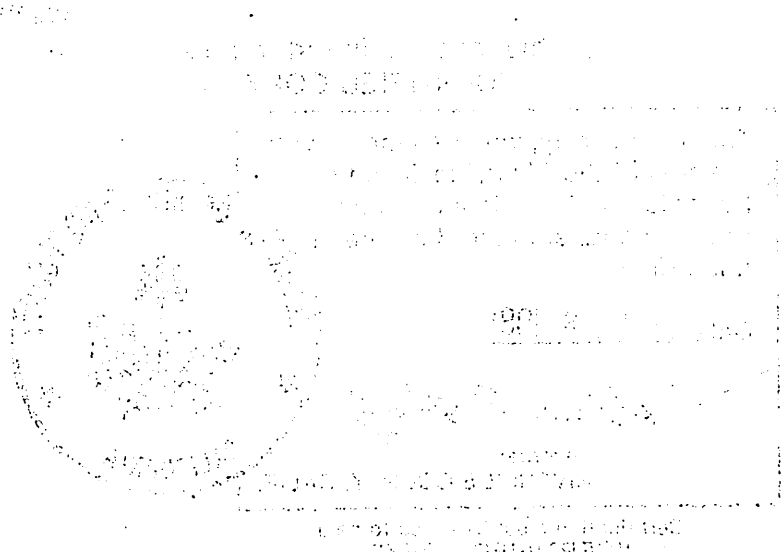
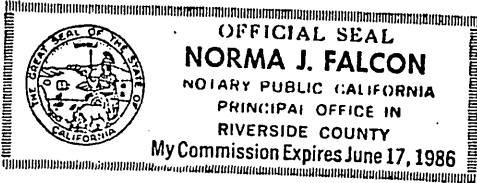
On this the 17 day of June 1985, before me,

Norma J. Falcon,
the undersigned Notary Public, personally appeared

Robert J. Norton,

personally known to me
 proved to me on the basis of satisfactory evidence
to be the person(s) whose name(s) is subscribed to the
within instrument, and acknowledged that he executed it.
WITNESS my hand and official seal.

Norma J. Falcon
Notary's Signature



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This must be in red to be a
"CERTIFIED COPY"

This is to certify, when stamped with
the seal of the Riverside County
Recorder, that this is a true copy
of the permanent record on file in
this office.

Date JUN 18 1985

William E. Loney

Recorder
RIVERSIDE COUNTY, CALIF.



Certification must be in red to be a
"CERTIFIED COPY"